

REMARKS

Claims 1, 5, 10, 15-17, 20-22 are pending in this application. Correct claim numbering has been used in accordance with the Examiner's remarks at page 2 of the Office Action; the mistaken claim numbering has not been repeated herein.

Claims 1, 5, 10, 15, 17 and 20 have been amended above. As to the amendment to claim 1 reciting "the written sheet music including words", see, e.g., original claim 9; as to the recitation of "a singer", see, e.g., the specification at page 7, line 4. Claim 5 has been amended as to dependency. Claim 10 has been amended to be shorter. Claim 15, which was independent, has been rewritten as a dependent claim. The amendment to claim 17 is discussed below, with regard to the rejection under 35 U.S.C. 112, second paragraph. Claim 20 has been amended to use language closer with the language used in the base claim.

Claims 2-4, 6-8, 11-14 and 18-19 have been cancelled above, without prejudice, for simplifying and shortening this application. Claim 9 has been canceled in view of the amendment to base claim 1.

As to new claims 21-22, see, e.g., the specification at page 7, lines 20-28).

At page 2 of the Office Action, Claims 8, 14 and 17 have been rejected under 35 U.S.C. 112, second paragraph. Claims 8 and 14 having been cancelled herein, no response is believed needed regarding those grounds for rejection. As to the "and/or" ground of rejection raised by the Examiner for claim 17, claim 17 has been amended above to remove the objected-to language, and the ground of objection is believed to be obviated. Reconsideration and withdrawal of the rejection under 35 U.S.C. 112, second paragraph are respectfully requested.

At page 3 of the Office Action, Claims 1-2, 9-13 and 15-17 have been rejected under 35 U.S.C. 102(e) as being anticipated by Narang (US 2001/0025296 A1).

Applicants respectfully traverse the anticipation rejection.

Applicants' Claim 1 as amended recites an "Internet e-audition for a musical show." The inventive e-audition comprises: "on an Internet website, posting written sheet music for the musical show, the written sheet music including words"; "receiving recorded versions by a singer of the sheet music, and posting recorded versions of the sheet music on the website."

Narang fails to teach or disclose an e-audition for a musical show.

Narang's mention of "musical scores" at paragraph [0007] is general, with various many kinds of musical scores being possible, and is not specifically addressed to musical shows.

Also, Narang fails to teach or disclose posting (on an Internet website) "written sheet music for the musical show, with the written sheet music including words," as recited in Applicants' claim 1.

Additionally, Narang fails to teach or disclose "receiving recorded versions by a singer of the sheet music" as recited in Applicants' claim 1. Narang is not concerned with mobilizing a vocalist to sing written sheet music on his website, and return an audio recording to him. Rather, Narang is directed only to getting stories and musical scores created. Narang contains no teaching for getting already-created music performed.

Also, Narang fails to teach "posting recorded versions of the sheet music on the website" as recited in Applicants' claim 1.

Thus, for the several reasons set forth above, Applicants' claim 1 and the dependent claims differ from Narang and are not anticipated. Reconsideration and withdrawal of the anticipation rejection are respectfully requested.

At page 6 of the Office Action, Claim 3 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Narang. At page 6 of the Office Action, Claims 4 and 6-8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Narang in view of Sherman (US 2002/0051119 A1). Claims 3, 4 and 6-8 having been canceled without prejudice, no further response to these two obviousness rejections is believed needed at this time.

At page 7 of the Office Action, Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Narang in view of Miles (US 6,102,406).

Applicants respectfully traverse this obviousness rejection.

The present invention is quite different from Narang, as set forth above. Nor is the present invention obvious over Narang. Narang is only suited for collaboratively creating certain works of art, not for promoting them.

Miles cannot be resorted to for supplying all that Narang lacks. Even with Narang plus Miles, a person of ordinary skill in the art still would falls short of Applicants' e-audition invention. The Examiner's proposed combination of Narang and Miles is artificial and now how a person of ordinary skill in the art would think

about those references. Using Miles to modify Narang, as the Examiner proposes, is artificial. Narang is directed to a team approach to create a written work such as a story or screenplay. A person in the art would not see a need in Narang for what Miles is doing, namely, Miles' Internet scavenger hunt where the player answers a questions to advance and is required to visit other Internet websites.

Also, for the Examiner to propose that the person of ordinary skill in the art would apply Miles to modify Narang in the direction of Applicants' invention is inconsistent with the fact that Miles runs contrary to Applicants' present invention. Miles teaches sending a visitor away from his website to other websites. Miles' methods of letting visitors escape from one's website would be highly undesirable in Applicants' present invention. The whole point of Applicants' invention is to bring website visitors to the show's promotional website and have them stay at the website and develop interest in the show being promoted by the website.

Also it should be considered that Applicants' presently claimed invention, of any of the pending claims, provides unexpectedly superior results over Narang, the closest cited art. Narang mentions "musical scores." However, Narang can only be used to create a collaborative musical score; Narang does not solve the problem of how to interest people besides the creators in the musical score. If a co-creator is Andrew Lloyd Webber (a famous composer), the unperformed newly-created musical score may have a chance of easily being financially backed and moved into production. However, most creators lack such renown and their unperformed new musical score receives little notice.

Applicants' present invention provides a way for the creators to reach people, get singers actually singing and recording their music, and get people actually listening to their music. Thus, in the example of a new musical score for a new musical, Applicants' present invention provides unexpectedly superior results over Narang.

For the reasons set forth above, reconsideration and withdrawal of the obviousness rejection of claim 5 are respectfully requested.

At page 8 of the Office Action, Claim 14 has been rejected under 3 U.S.C. 103(a) as unpatentable over Narang in view of Karro (US 2002/0077885 A1). Also at page 8 of the Office Action, Claim 18 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Narang in view of Mengerink (US 2002/0073174 A1).

At page 9 of the Office Action, Claim 19 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Narang in view of Barnes (US 2003/0065805 A1). Claims 14, 18 and 19 having been canceled without prejudice, no further response to these three obviousness rejections is believed needed at this time.

At page 9 of the Office Action, Claim 20 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Narang in view of Ghani (US 2002/0085030 A1).

Applicants respectfully traverse this obviousness rejection. Ghani is a graphical user interface for an interactive collaboration system, useable in computer based education. Ghani teaches comment text boxes, question and answer text boxes, and the like, to mimic a traditional classroom in an Internet forum.

Neither Narang nor Ghani teaches or discloses the Internet-based audition of Applicants' claim 20. Neither Narang nor Ghani teach posting of an e-audition song that is a recording by a singer made from sheet music with words. Nor do either of Narang or Ghani teach placing "public identifying information" specified by the singer of the recorded song next to the recording on the website as in Applicants' claim 20. In Applicants' claim 20, the singer who records the song from the new sheet music declares a 'handle' for himself that he wants to be called when his recording gets posted on the website, so that if he wants, he can tell his fans to go vote for him or her on the website. This feature facilitates the singer's telling his fans about his recording of the music from the new musical. For example, a singer of an e-audition song posted on the website for the musical may have his own website, and he may choose to link to the website for the musical, so that his fans to his own website may listen to and vote for him. Thus, the website for the new musical has additional visitor traffic directed to it. The claimed invention of Applicants' claim 20 therefore provides unexpectedly superior results compared to the closest cited art of Narang.

Wherefore, reconsideration and withdrawal of the obviousness rejection of claim 20 are respectfully requested.

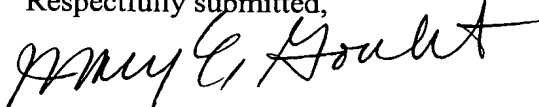
In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1, 5, 10, 15-17 and 20-22 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for

allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephone or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary E. Goulet", with a stylized flourish at the end.

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